

UNITED STATES DISTRICT COURT
EIGHT DISTRICT OF MINNESOTA

CHARLES EMEKA OBIJE(MOVANT)

V.

UNITED STATES OF AMERICA(RESPONDENT)

Case Number: ~~23~~CR-00004-DWF(1)
Judge D. Frank

MOTION, SEEKING SENTENCE ADJUSTMENT FOR CERTAIN ZERO-POINT OFFENDERS
PURSUANT TO USSG 4C1 SUBPART 1 OF PART B (821 AMMENDMENT)

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JAN 29 2024

Charles Emeka Obije, pro se, representing himself, seeks a sentence adjustment for zero-point offenders pursuant to USSG 4C1.1. The United States Sentencing Commission (USSC) has made an adjustment on aforementioned USSG section so that offenders who qualifies may benefit in a retroactive manner by the newly amended guideline law by November 1st, 2023. This movant respectfully request this Honorable Court to examine his request for sentence adjustment as he meets all of the criteria for the sentence adjustment.

A. ADJUSTMENT CRITERIA 4C1

USSG 4C1.1 requires the movant to meet all of the following criteria.

- (1) The movant confirms that he does not have prior criminal history points.
- (2) The movant has not received an adjustment under 3A.4 (Terrorism).
- (3) The movant did not use violence or credible threats of violence in connection with the offense.
- (4) The offense did not result in death or serious bodily injury.
- (5) The instant offense is not a sex offense.
- (6) The movant did not possess, receive, purchase, transfer, sell, or otherwise dispose of a firearm or other dangerous weapon in connection with the offense.
- (7) The movant offense and conviction is not covered by 2H1 (Offense involving Individual rights).
- (8) The movant did not receive an adjustment under 3A1.1 (Hate Crime Motivation or 3A1.5 (Serious Human Rights Offense).
- (9) The movant did not receive an adjustment under 3B.1 (Aggravating Role) and was not engaged in a continuing enterprise as defined in 21 USC 848.

CONCLUSION

The movant confirms that he meets all of the criteria for the sentence adjustment pursuant to USSG 4C1.1 and respectfully petitions his motion seeking sentence adjustment to be granted.

CERTIFICATE:

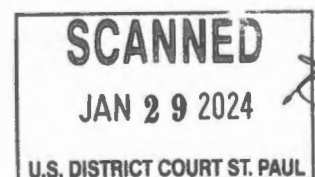
I hereby certify pursuant to 28 USC 1746 that he foregoing is true and correct to the best of my knowledge.

Charles E. Obije
Registration Number: 37771-510
Federal Prison Camp
P.O. Box 1000
Duluth, MN 55814

Signature



Date 01/26/2024



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ARGUEMENTS FOR ZERO-POINT OFFENDER ADJUSTMENT

The movant desires to describe his conduct on pre-trial release, and in federal prison, The movant respectfully request his Honorable Court construe his language and arguments hereafter liberally as he is not a professional attorney and is appearing Pro Se.

W. ACCEPTANCE OF RESPONSIBILITY & HARM

The movant acknowledges and accepts fully that his crimes were very serious in nature and were harmful to individuals involved. He acknowledges that his role in this crime was significant and enabling. The movant feels heavy shame and regret for his actions and believes a term of prison was most appropriate for both rehabilitation and crime deterrence.

X. Pre-Trial Release

The movant completed a pre-trial release of about 12 months. The movant followed all guidelines provisioned by Pre-trial release services and received no penalties or citations of any kind. It is the belief of the movant that Pre-Trial Services would rate his conduct as very satisfactory.

On Pre-trial release, the movant remained employed at all times. From January 2023 to December 2023, he worked at the Lincoln Park Community Housing for re-entry individuals, and managed the community gardens that greatly benefited the Lincoln Park Community.

Although it was, by far, the most physically demanding and tasking job while waiting his surrender to prison, he believes it was exactly what he needed to both clear his mind and give back to his community. He is very grateful for the opportunity to provide a much needed service to the community that needed those services.

The job instilled a great deal of self-worth, which he believes is critical to gaining my communities trust. On release, the movant very much looks forward to returning to his community services. This job will help in my re-integration back to my community.

X. INCARCERATION

The movant self-surrendered on January 4th as directed and is currently serving his sentence. His PATTERN security level is minimum. He has so far received no administrative penalties, SHOTs, or any other sort of citation. He has remained employed at all times with construction services where he has a leadership role in.

The movant now has a very positive outlook on life and looks forward to re-entry into society. He can atone for his crimes against those affected and society.

It is the wish of the movant that this Honorable Court understands that being a burden to society causes him an almost unbearable amount of grief. The experience of incarceration has made his goals in life to be an overwhelmingly positive force in his community and in society at large.

Thank you for your consideration,

Charles E. Obije

